

1
2
3
4 JAMES JOHN O'SHEA,
5 Plaintiff,
6 v.
7 UNKNOWN FISH & GAME AGENT,
8 Defendant.
9

10 Case No. [23-cv-03371-TLT](#)
11

12
13 **ORDER OF DISMISSAL**
14

15 Plaintiff, a person in detention at the Maguire Correctional Facility in San Mateo County
16 proceeding *pro se*, filed a civil rights action on July 6, 2023. ECF 1. That same day, the Clerk of
17 the Court informed plaintiff that this action was deficient because he had not submitted an
18 application to proceed *in forma pauperis* or paid the filing fee. ECF 3. The Court informed
19 plaintiff that he needed to correct the deficiency within twenty-eight days from the date of the
20 notice to avoid dismissal of this action. *Id.* The deadline has passed, and plaintiff has not
21 submitted an application to proceed *in forma pauperis* nor paid the filing fee. Further, the events
22 complained of are untimely. *See* ECF 4 at 2; *see also* Case No. 23-cv-00047-TLT, *O'Shea v.*
23 *Martinez*, at ECF Nos. 15, 23.

24 The Court therefore DISMISSES this action with prejudice. The Clerk shall terminate any
25 pending motions, enter judgment for defendant, and close the file.

26 **IT IS SO ORDERED.**

27 Dated: October 28, 2023
28


29 TRINA L. THOMPSON
30 United States District Judge